

DOS-CBP Agreed Guidance for Executive Order

RELEASE IN FULL

- 1) Dual nationals with a valid immigrant or nonimmigrant visa in a passport issued by any country not restricted under the Executive Order will be permitted to apply for admission to the United States.
- 2) Posts are allowed to process visa applications and issue nonimmigrant and immigrant visas to otherwise eligible visa applicants who apply with a passport from an unrestricted country, even if they hold dual nationality from a restricted country.
- 3) Landed immigrants of Canada (not including refugees) who hold passports of a restricted country can apply for admission to the United States, if the individual presents that passport with a valid immigrant or nonimmigrant visa, proof of their landed immigrant status, and only if the travel both originates in Canada and is through a land border or a pre-clearance location.
- 4) Landed immigrants of Canada (not including refugees) who hold passports of a restricted country can apply for an immigrant or nonimmigrant visa to the United States, if the individual presents that passport, and proof of landed immigrant status, to a consular officer. These applications shall be made at a U.S. consular section in Canada
- 5) The entry of Iraqi nationals with a valid Special Immigrant Visa to the United States is deemed to be in the national interest can apply for admission to the United States. Accordingly, absent the receipt of significant derogatory information indicating a serious threat to public safety and welfare, possession of a Special Immigrant Visa will be a dispositive factor in case-by-case determinations. Iraqi nationals can also apply to a consular officer for Special Immigrant Visas, and, if otherwise qualified, can be issued a Special Immigrant Visa.
- 6) As stated by Secretary Kelly, the entry of U.S. lawful permanent residents is deemed to be in the national interest. Accordingly, absent the receipt of significant derogatory information indicating a serious threat to public safety and welfare, lawful permanent resident status will be a dispositive factor in case-by-case determinations.

REVIEW  
AUTHORITY:  
Barbara Nielsen,  
Senior Reviewer

- 7) In adjudicating both admission to the United States and issuance of visas, both DHS and DOS will continue to apply all appropriate security vetting procedures.

UNCLASSIFIED

V3

NO DISCERNIBLE CLASSIFICATION

**Smith, Michelle L**

**From:** Miller, Stephen EOP/WHO [REDACTED]  
**Sent:** Monday, January 30, 2017 8:38 PM  
**To:** Dougherty, Michael T  
**Cc:** [REDACTED] MCALEENAN, KEVIN K; Mowers, Matthew D; Wasinger, Robert K; Donahue, David T; Ramotowski, Edward J  
**Subject:** RE: Agreed Guidance with State and CBP

B6

B6

**RELEASE IN PART**  
B6

This is consistent with my understanding. Please just clear it with DHS.

**REVIEW AUTHORITY:**  
Barbara Nielsen, Senior  
Reviewer

-----Original Message-----

**From:** Dougherty, Michael T [mailto:DoughertyMT@state.gov]  
**Sent:** Monday, January 30, 2017 7:50 PM  
**To:** Miller, Stephen EOP/WHO [REDACTED]  
**Cc:** [REDACTED] MCALEENAN, KEVIN K [REDACTED]; Mowers, Matthew D <MowersMD@state.gov>; Wasinger, Robert K <WasingerRK@state.gov>; Donahue, David T <DonahueDT@state.gov>; Ramotowski, Edward J <RamotowskiEJ@state.gov>  
**Subject:** Fw: Agreed Guidance with State and CBP

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Mr. Miller, senior staff from Consular Affairs and CBP met this evening to discuss how the EO should be interpreted by DOS and DHS per our call with you today.

With your approval, we would like to issue this guidance to State and DHS operational components, foreign governments and the public.

Please advise at your earliest convenience.

Regards, MTD

Sent from my BlackBerry 10 smartphone.

**From:** CA-VO-Special Assistant <CA-VO-Special-Assistant@state.gov>

**Sent:** Monday, January 30, 2017 7:15 PM

**To:** 'adam.m.blank' [REDACTED]; 'HUTTON, JAMES R'; 'MILLER, TROY A'; 'HOFFMAN, TODD A'; Ramotowski, Edward J; Dougherty, Michael T; Perry, Nicholas; Callahan, Ellen; Smith, Timothy W; Hackell, Matthew S; McEvoy, Meredith C; Newman, David S; Fabry, Steven F

B6

**Cc:** CA-VO-Special Assistant

**Subject:** Agreed Guidance with State and CBP

Colleagues:

1) Dual nationals with a valid immigrant or nonimmigrant visa in a passport issued by any country not restricted under the Executive Order will be permitted to apply for admission to the United States.

Smith, Michelle L

NO DISCERNIBLE CLASSIFICATION

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**NO DISCERNIBLE CLASSIFICATION**

- 2) Posts are allowed to process visa applications and issue nonimmigrant and immigrant visas to otherwise eligible visa applicants who apply with a passport from an unrestricted country, even if they hold dual nationality from a restricted country.
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- 4) Landed immigrants of Canada (not including refugees) who hold passports of a restricted country can apply for an immigrant or nonimmigrant visa to the United States, if the individual presents that passport, and proof of landed immigrant status, to a consular officer. These applications shall be made at a U.S. consular section in Canada.
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- 6) As stated by Secretary Kelly, the entry of U.S. lawful permanent residents is deemed to be in the national interest. Accordingly, absent the receipt of significant derogatory information indicating a serious threat to public safety and welfare, lawful permanent resident status will be a dispositive factor in case-by-case determinations.
- 7) In adjudicating both admission to the United States and issuance of visas, both DHS and DOS will continue to apply all appropriate security vetting procedures.

Brandon Borkowicz  
Special Assistant  
Visa Office  
Bureau of Consular Affairs  
Ext. 5-7572  
202-485-7572

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Smith, Michelle L

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Official - SBU

J2

**Smith, Michelle L**

**From:** Ramotowski, Edward J  
**Sent:** Monday, January 30, 2017 2:00 PM  
**To:** Dougherty, Michael J; Donahue, David T  
**Cc:** Myers, Shane J; Echard, John E Jr  
**Subject:** FW: EO Questions

RELEASE IN PART B6

REVIEW AUTHORITY: Barbara  
Nielsen, Senior Reviewer

Here is a list of the most urgent operational questions that we are receiving from our Embassies abroad and also foreign countries, among those the UK, Canada, Australia, and Israel.

Official - SBU  
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**From:** Parker, Christine D  
**Sent:** Monday, January 30, 2017 1:56 PM  
**To:** Ramotowski, Edward J  
**Cc:** King, Karin M; McEvoy, Meredith C; CA-VO-Special Assistant  
**Subject:** EO Questions

Ed,

Here are our distilled operational questions that we still need guidance on for post. These will be part of the expanded set of operational and public inquiry guidance we make available for posts.

- Nationality, LPR, other services
  - Does the ban affect those who were born in one of the seven listed countries, but who do not hold the citizenship of any of those seven countries?
  - Does the travel ban apply to dual nationals? Will a previous ESTA denial based on nationality with a country of concern prevent entry?
  - Does the visa issuance ban apply to dual nationals?
  - Does the travel ban apply to LPRs?
  - Can post print boarding foils for current LPRs?
  - Can post process a request for reinstatement of LPR status?
  - Does the refugee ban (V93) apply to dual nationals?
  - Will advanced parole be available for affected individuals from these countries already studying, working, or residing in the United States to enable them to re-enter?
- Case-by-case exceptions
  - What criteria is CBP using to determine who qualifies for an exception?
  - How do affected travelers who already have visas request an exception from CBP for entry in advance of travel?
  - How can affected travelers contact CBP in advance of travel with questions?
  - How can members of Congress or other stakeholders bring these cases to the State Department and/or CBP's attention?

Smith, Michelle L

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**Christine Parker**

Division Chief, Outreach and Inquiries  
Office of Field Operations, Visa Services (CAVO/F/OI)  
U.S. Department of State  
☎ office (202) 485-7425 | ☎ mobile

B6

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Smith, Michelle L

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2

Reamey, Michele E

3 pgs

**From:** Pennington, Joseph S  
**Sent:** Wednesday, March 01, 2017 2:30 PM  
**To:** Reamey, Michele E  
**Subject:** FW: [Non-DoD Source] Re: Further on Iraqi Concerns About Visa EO

RELEASE IN PART  
B5, B6

REVIEW AUTHORITY: Barbara Nielsen,  
Senior Reviewer

-----Original Message-----

**From:** Harvey, Derek J. EOP/NSC [mailto: ]  
**Sent:** Saturday, January 28, 2017 12:09 PM  
**To:** Kenneth B. Handelman  
**Cc:** Jones, Stuart E; Pennington, Joseph S; Harris, Joshua M. EOP/NSC; Rayburn, Joel D. EOP/NSC; Yael Lempert; Bell, Michael S. EOP/NSC; Roffman, Scott N. EOP/NSC; Fantini, Michael; Brandenburg, Rachel  
**Subject:** Re: [Non-DoD Source] Re: Further on Iraqi Concerns About Visa EO

B6

Sent from my iPhone

> On Jan 28, 2017, at 11:17 AM, Handelman, Kenneth B SES OSD OUSD POLICY (US) wrote:

B6

>

>

>

B5

> Sent from my BlackBerry 10 smartphone.

> Original Message

> From: Jones, Stuart E

> Sent: Saturday, January 28, 2017 11:10 AM

> To: Pennington, Joseph S; Harris, Joshua M. EOP/NSC

> Cc: Rayburn, Joel D. EOP/NSC; Harvey, Derek J. EOP/NSC; Yael Lempert; Bell, Michael S. EOP/NSC; Roffman, Scott N. EOP/NSC; Handelman, Kenneth B SES OSD OUSD POLICY (US)

> Subject: [Non-DoD Source] Re: Further on Iraqi Concerns About Visa EO

>

> might be good to set up a conf call or meeting asap. We shld get DHS, STATE/Consular Affairs to explain to all of us what they are doing.

> Thanks

>

> Sent from my BlackBerry 10 smartphone.

> Original Message

> From: Pennington, Joseph S

> Sent: Saturday, January 28, 2017 10:25 AM

> To: Harris, Joshua M. EOP/NSC; Jones, Stuart E

> Cc: Rayburn, Joel D. EOP/NSC; Harvey, Derek J. EOP/NSC; Yael Lempert; Bell, Michael S. EOP/NSC; Roffman, Scott N. EOP/NSC; Kenneth B. Handelman

> Subject: Re: Further on Iraqi Concerns About Visa EO

>

>

> Josh

Thanks, joe

B5

>

> Sent from my BlackBerry 10 smartphone.

> Original Message  
> From: Harris, Joshua M. EOP/NSC  
> Sent: Saturday, January 28, 2017 10:20 AM  
> To: Jones, Stuart E  
> Cc: Rayburn, Joel D. EOP/NSC; Harvey, Derek J. EOP/NSC; Yael Lempert; Bell, Michael S. EOP/NSC; Roffman, Scott N. EOP/NSC; Pennington, Joseph S; Kenneth B. Handelman  
> Subject: Re: Further on Iraqi Concerns About Visa EO

> Ambassador --

> We got some clarification on the minorities exemption for refugee admissions.

B5

> Thanks, Josh

> Notwithstanding the temporary suspension imposed pursuant to subsection (a) of this section, the Secretaries of State and Homeland Security may jointly determine to admit individuals to the United States as refugees on a case-by-case basis, in their discretion, but only so long as they determine that the admission of such individuals as refugees is in the national interest -- including when the person is a religious minority in his country of nationality facing religious persecution.

> Sent from my iPhone

> On Jan 28, 2017, at 8:44 AM, Jones, Stuart E <JonesS2@state.gov<<mailto:JonesS2@state.gov>>> wrote:

> Derek, Joel, Joah, et al.,

> I just got off the phone with our ambassador in Baghdad, Doug Silliman.

> As you would expect, he is very concerned abt how the EO on visa suspension will impact our activities in Iraq.

B5

> Doug said there are also media reports emerging of Yezidi + Christian ?victims of da'esh torture being taken off planes. I cannot confirm.

B5

B5



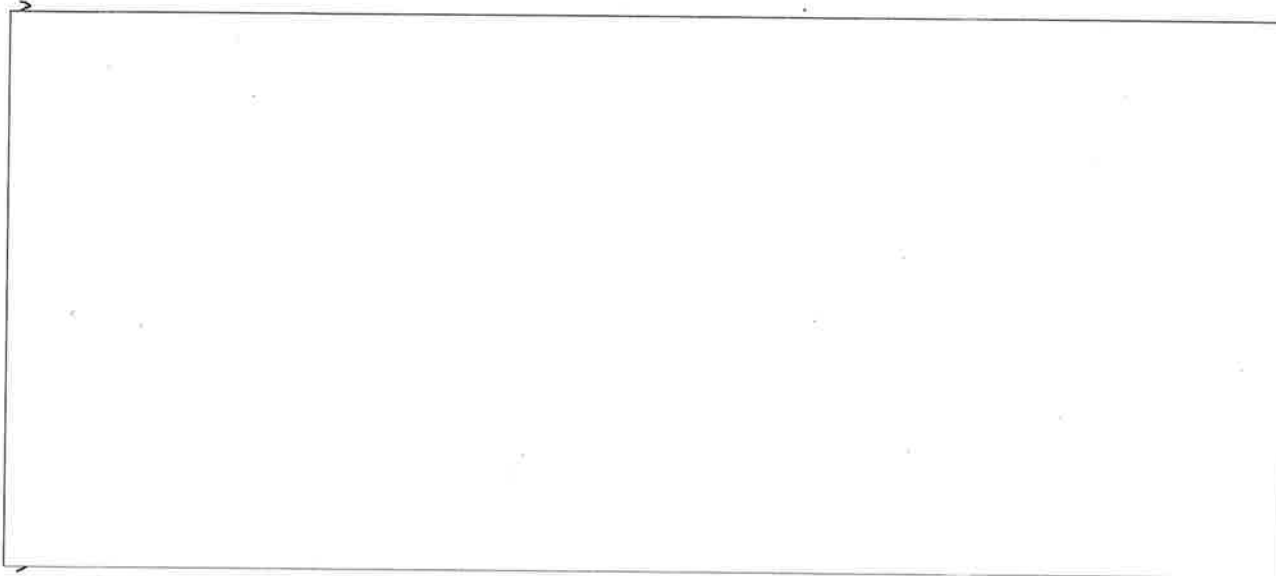
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B5

>  
> Please advise.  
>  
> Thanks.  
>  
> Stu  
>  
> Sent from my BlackBerry 10 smartphone.  
> From: Rayburn, Joel D. EOP/NSC  
> Sent: Thursday, January 26, 2017 11:48 PM  
> To: Harvey, Derck J. EOP/NSC; Jones, Stuart E  
> Cc: Yael Lempert; Bell, Michael S. EOP/NSC; Harris, Joshua M. EOP/NSC; Roffman, Scott N. EOP/NSC; Pennington, Joseph S  
> Subject: [REDACTED]

B5



B5

> Best,  
> Joel  
>

**Official**

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8 pages

**Reamey, Michele E**

**From:** Pennington, Joseph S  
**Sent:** Saturday, January 28, 2017 6:02 PM  
**To:** NEA-I-POLICY-DL  
**Subject:** Fw: Initial Reactions in Iraq to Executive Order on Refugees and Visas

RELEASE IN PART  
B5,B6

REVIEW AUTHORITY: Barbara  
Nielsen, Senior Reviewer

Sent from my BlackBerry 10 smartphone.

Original Message

**From:** Rayburn, Joel D. EOP/NSC [REDACTED]  
**Sent:** Saturday, January 28, 2017 5:57 PM  
**To:** Jones, Stuart E; Pennington, Joseph S; Harvey, Derek J. EOP/NSC; Cattler, David M. EOP/NSC  
**Subject:** RE: Initial Reactions in Iraq to Executive Order on Refugees and Visas

B6

[REDACTED]

B5

--Joel

-----Original Message-----

**From:** Jones, Stuart E [mailto:JonesS2@state.gov]  
**Sent:** Saturday, January 28, 2017 3:51 PM  
**To:** Rayburn, Joel D. EOP/NSC [REDACTED]  
**Subject:** RE: Initial Reactions in Iraq to Executive Order on Refugees and Visas

B6

Thanks. No worries. Standing by.

-----Original Message-----

**From:** Rayburn, Joel D. EOP/NSC [REDACTED]  
**Sent:** Saturday, January 28, 2017 3:40 PM  
**To:** Jones, Stuart E  
**Subject:** Re: Initial Reactions in Iraq to Executive Order on Refugees and Visas

B6

Will take a little longer before I can call. [REDACTED] will call as far ahead of that as possible.

B5

Sent from my iPhone

> On Jan 28, 2017, at 3:23 PM, Jones, Stuart E <JonesS2@state.gov> wrote:  
>  
> Thanks. Standing by.  
>  
> -----Original Message-----

SENSITIVE BUT UNCLASSIFIED

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> From: Rayburn, Joel D. EOP/NSC [REDACTED]  
> Sent: Saturday, January 28, 2017 3:12 PM  
> To: Jones, Stuart E  
> Subject: Re: Initial Reactions in Iraq to Executive Order on Refugees and Visas

B6

> Roger, will call within the next half hour or so, [REDACTED]  
[REDACTED]

B5

>

>

> Sent from my iPhone

>

> On Jan 28, 2017, at 3:10 PM, Jones, Stuart E <JonesS2@state.gov<mailto:JonesS2@state.gov>> wrote:

>

> Hi Joel, sorry, just got this message; tried your number and got voice mail. I'm standing by at 202 647 7207

>

> Thanks.

>

> Stu

>

> Official

> UNCLASSIFIED

>

> From: Rayburn, Joel D. EOP/NSC [REDACTED]

> Sent: Saturday, January 28, 2017 1:12 PM

> To: Jones, Stuart E

> Subject: RE: Initial Reactions in Iraq to Executive Order on Refugees and Visas

>

> Stu, could you give me a call at [REDACTED]

>

> Best,

> Joel

>

> From: Harris, Joshua M. EOP/NSC

> Sent: Saturday, January 28, 2017 1:04 PM

> To: #SuiteStaff [REDACTED]; #MENA

<# [REDACTED] #CT [REDACTED] #LEGAL

[REDACTED] Cattler, David M. EOP/NSC

B6

[REDACTED]; Roman, Lisa EOP/NSC

[REDACTED]; Grant, Rachel R. EOP/NSC

[REDACTED] Harvey, Derek J. EOP/NSC

[REDACTED]; Rayburn, Joel D. EOP/NSC

[REDACTED]  
[REDACTED] Hawkins, Monte B. EOP/NSC

> Subject: Initial Reactions in Iraq to Executive Order on Refugees and Visas

>

> All --

>

> Here is the initial round-up from Ambassador Silliman in Baghdad on the adverse foreign policy, security, and economic implications of the Executive Order on refugees and visas, particularly with respect to U.S.-Iraq cooperation in the fight against ISIS.

>

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> We will provide further updates as the situation develops.  
 >  
 > Thanks, Josh  
 >  
 > Sent from my iPhone  
 >  
 > Begin forwarded message:  
 > From: "Silliman, Douglas A (Baghdad)" <SillimanDA@state.gov<mailto:SillimanDA@state.gov>>  
 > Date: January 28, 2017 at 12:35:21 PM EST  
 > To: "McGurk, Brett H" <McGurkBH2@state.gov<mailto:McGurkBH2@state.gov>>, "Pennington, Joseph S" <PenningtonJS@state.gov<mailto:PenningtonJS@state.gov>>; "Jones, Stuart E" <JonesS2@state.gov<mailto:JonesS2@state.gov>>, "Wolff, Terry" <WolffT@state.gov<mailto:WolffT@state.gov>>, "Harris, Joshua M. EOP/NSC" <[REDACTED]> "Shea, Peter T" <SheaPT@state.gov<mailto:SheaPT@state.gov>>, "Williams, Stephanie T (Baghdad)" <WilliamsST2@state.gov<mailto:WilliamsST2@state.gov>>  
 > Subject: Fw: Iraq: Initial Reactions in Iraq to Executive Order on Refugees and Visas Here are some of the difficulties and reactions we are encountering from the new E.O.  
 >  
 > More will come tomorrow as the news spreads in the Iraqi media.  
 >  
 > Doug  
 >  
 > Douglas A. Silliman  
 > U.S. Ambassador to Iraq  
 > From: Erwin, Joel A (Baghdad) <ErwinJA@state.gov<mailto:ErwinJA@state.gov>>  
 > Sent: Saturday, January 28, 2017 20:20  
 > To: Silliman, Douglas A (Baghdad); Williams, Stephanie T (Baghdad)  
 > Subject: Iraq: Initial Reactions in Iraq to Executive Order on Refugees and Visas  
 >  
 >  
 > As requested, below is the transmitted cable. MRN is 17 Baghdad 106. Also as requested, I'm calling Ops to flag.  
 > Thanks,  
 > Joel  
 >  
 > Official - SBU  
 > UNCLASSIFIED  
 >  
 > From: SMART Core  
 > Sent: Saturday, January 28, 2017 8:17 PM  
 > To: Erwin, Joel A (Baghdad)  
 > Subject: Iraq: Initial Reactions in Iraq to Executive Order on Refugees and Visas  
 >  
 > UNCLASSIFIED  
 > SBU  
 >  
 > [STATE SEAL]  
 >  
 > Action Office:  
 >  
 > ECON, POL, PAS, RSO, AID\_EXEC, ORA, CONGEN, CONS, AID, ODC  
 >  
 > Info Office:

B6

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 > EAC, AMB\_INFO, RSO\_INFO, ECON\_INFO, CONS\_INFO, DAO\_INFO  
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 > Date/DTG:  
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 > Jan 28, 2017 / 281715Z JAN 17  
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 > From:  
 >  
 > AMEMBASSY BAGHDAD  
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 > Action:  
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 > WASHDC, SECSTATE ROUTINE  
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 > Iraq: Initial Reactions in Iraq to Executive Order on Refugees and Visas  
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 > 1. (SBU) Key Points:  
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 > \* The Executive Order suspending entry of Iraqis into the U.S. and refugee processing has hit many Iraqis as an affront to Iraq's national pride (in a part of the world where pride and honor are often considered more important than concrete signs of support). Many Iraqis have expressed to us their surprise, deep disappointment and anger at the inclusion of Iraq in the E.O., arguing that Iraq is a strong partner fighting side-by-side with the U.S. against ISIS/Da'esh inside Iraq. Steam is beginning to build in the Parliament for the GOI to take reciprocal action and ban American passport holders from entering Iraq. Western press outlets in the country are finding human interest stories among people affected by the ban on entry, including the case of a Yezidi couple who had received special immigrant visas but were denied boarding in Erbil today.  
 >

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>  
 > \* Mission Iraq has canceled all NIV and IV appointments for the near term but has outstanding questions about the use of the national interest mechanism as it applies to Kurdistan Regional Government passport holders and Mission employees with SIVs. The Mission's unique refugee processing program has also been halted.

>  
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 >  
 > \* The E.O. may cause the cancellation of planned travel by private sector Iraqis and Iraqi officials for a program on the implementation of a multi-billion dollar power gen deal just inked by GE.

>  
 >  
 >  
 > \* Post is assessing the potential impact of reciprocal GOI measures, particularly with regard to our large American contractor population, some of whom fill crucial security and life-support positions inside the mission, while others are DoD contractors directly engaged in support to the fight against Da'esh. These restrictions could also affect other American citizens currently in Iraq on other-than-diplomatic visas, including NGO workers and employees and contractors of U.S. companies operating in Iraq.

>  
 > End Key Points

>  
 > Public Reaction Focused on Need for Reciprocity

>  
 > 2. (SBU) Iraqi print and TV reports mirrored Western media reports on the Executive Order. The signing of the Executive Order occurred late in the night in Iraq, and thus local public and press reaction is still streaming in; we expect TV and print commentary to increase in the next 24-48 hours. Social media reaction has been concerning, with commentators asking what the new immigration policy means for refugee applicants and Iraqis with existing visas. Several prominent social media figures called for reciprocity by banning the travel of American citizens to Iraq. On his Facebook page, MP and member of the Parliamentary Foreign Affairs committee Rinas Jano said the order and the expected reciprocity would damage bilateral relations. "There are U.S. troops in Iraq helping us in the fight against ISIL, there are also American diplomats and businessmen. This could affect everyone, especially Iraqi students who have scholarships to study in America."

>  
 > 3. (SBU) Western press outlets have contacted our Consulate in Erbil regarding cases of visa holders who have been turned away at the airport, including the case of [REDACTED]

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>  
 > 4. (SBU) Iraqi Counter-Terrorism Service (CTS) officers expressed concerns to us over Iraq's listing and asked why Iraqi visas/admissions were frozen but those from Saudi Arabia and other states perceived as terrorism exporters were not. A number of Members of Parliament (MPs), have expressed broad concern that the E.O. unfairly targets Iraq at a time when the U.S., as the head of the military Coalition to defeat ISIS/Da'esh, have made enormous progress with Iraq to liberate Mosul from ISIS. These MPs - Sunni, Shi'a, Turkmen and Christian - were baffled by the inclusion of Iraq on the list and believed it would increase resentment of the U.S. throughout the Muslim world. A Yazidi MP worried that the ban would increase the suffering of Yazidis who had already been approved for a visa but had not yet traveled.

>  
 > Consular and Refugee Processing Operations; Question Pending on Case-by-Case Exceptions

>  
 > 5. (SBU) Mission Iraq canceled all NIV and IV appointments for the near term. Post is seeking clarification on the case-by-case exceptions to the order, as no mechanism yet exists to forward or evaluate them. Early understanding of the

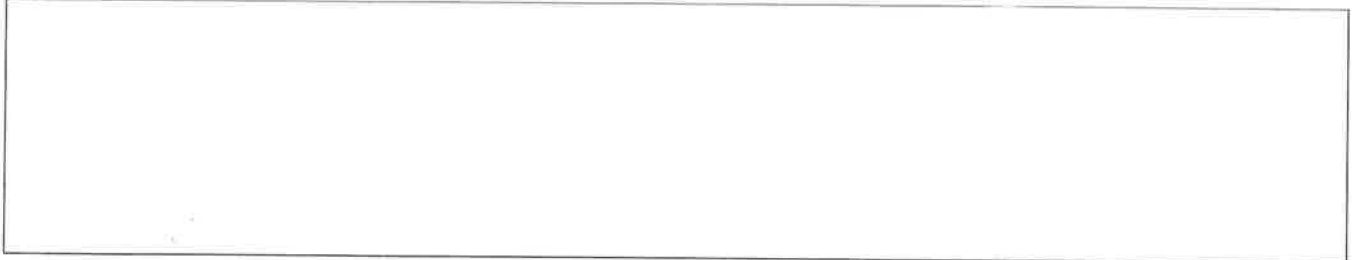
SENSITIVE BUT UNCLASSIFIED

E.O. suggests that all special populations -- KRG officials who cannot obtain A visas, Special Immigrant Visa recipients, Mission employees with those SIVs, or those traveling for business -- would be subject to the ban. There are several former Iraqi employees of the U.S. Mission who had received SIVs and were planning to travel to the U.S. in the coming weeks who are unable to proceed, including one employee who resigned from her position in the Embassy last week and is now in limbo.

>

> 6. (SBU) Other critical questions remain unanswered at this point, including how will the ban affect the travel of Iraqi citizen Legal Permanent Residents (LPRs) who are currently overseas. Consulate General Basrah has canceled the travel of 13 International Visitor Leadership Program attendees and three of the Consulate's Iraqi Locally Employed Staff who were scheduled to travel to the U.S. for training. We have received a Congressional inquiry on the impact of the ban on a constituent whose wife and four-month old son whose immigrant visa case is pending from the office of Rep. Kay Granger (R-TX).

>



>

> 8. (SBU) Consulate General Erbil is aware of several pending visas for KRG Department of Foreign Relations officials who would be subject to the ban. Consulate General staff were contacted during the week by members of the Iraqi Kurdistan Parliament, as well as business people planning trips in the near future, and exchange program participants, including a Zoroastrian woman who is with the KRG Ministry of Religious Affairs, planning to travel to a conference in California.

>

> 9. (SBU) Embassy Baghdad manages the unique, in-country Direct Access U.S. Refugee Admissions Program whereby, under a 2007 Act of Congress, Iraqis with certain ties to the United States and a well-founded fear of persecution based on race, religion, and other criteria can apply for U.S. refugee status from within Iraq. Prior to August 2014, there was a caseload of about 15,000 applicants. After a 15-month suspension of the program following the period when ISIS/Da'esh occupied large swathes of Iraq, the program resumed, and the caseload shot up to 75,000 in July 2016 due to a processing backlog and greater interest from Iraqis fearing for their future in Iraq. After obtaining authority to increase the size and frequency of DHS circuit rides in 2016, Embassy Baghdad began to whittle down the backlog, which currently stands at 62,151 individuals (23,489 cases). The DHS refugee admissions interview/evaluation team circuit ride scheduled for February 7 -- March 23 has been postponed (as is a follow-on circuit ride scheduled to start March 23). IOM pre-screening personnel (a total of 13 IOM employees who work from Embassy Baghdad) has also been suspended pending further guidance. We will send IOM staff back to their home base in Jordan later this week if Washington determines that they may not resume their non-USG pre-processing of refugee cases.

>

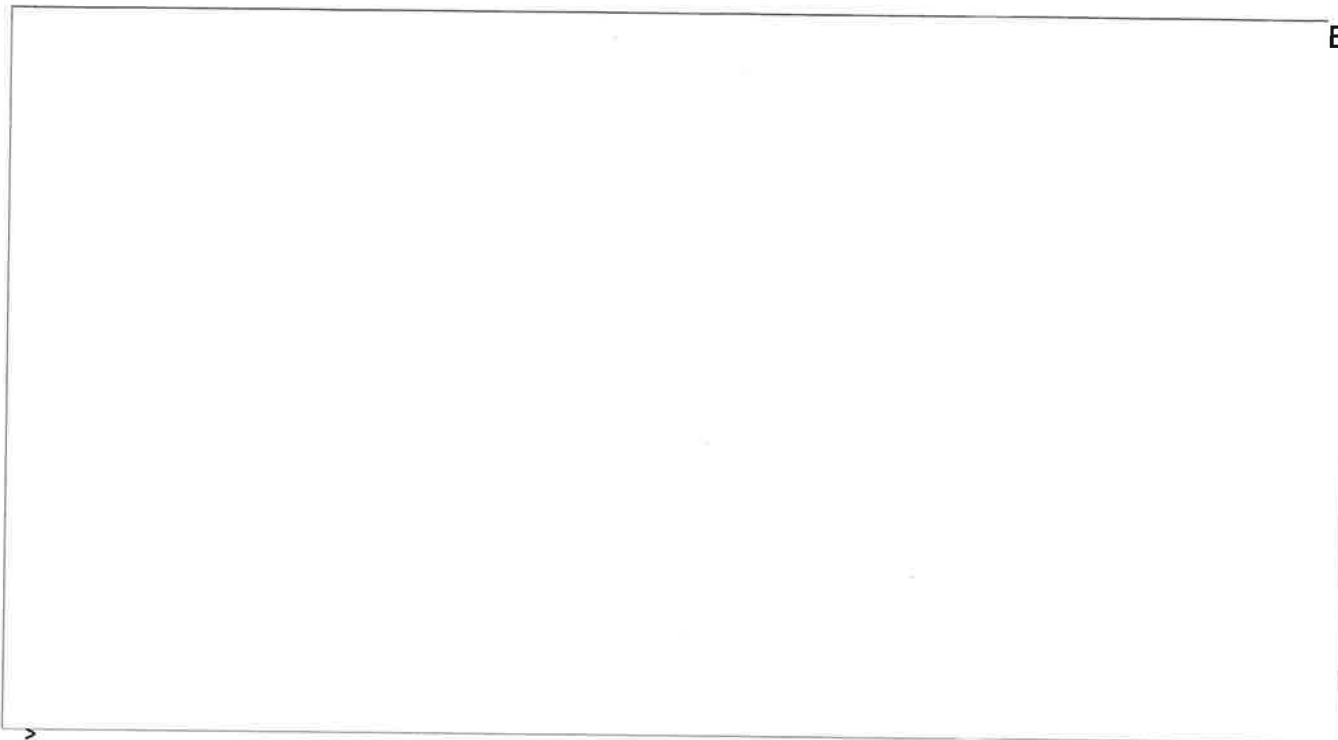
> Commercial Impact: GE Unable to Host Iraqi Delegation After Signing of \$3 Billion Deal

>

> 10. (SBU) In January 2016, General Electric and the GoI signed a \$1.1 billion memorandum of understanding to boost electricity production in Iraq by 1000 MW by July 2016. On January 26, 2017, the GoI and GE then signed a second deal valued at \$1.05 billion to add 1.5 gigawatts (GW) of additional electricity generation capacity to Iraq's grid. In total, GE's two-phase "Power Up Plan" is expected to yield almost \$3 billion in business for GE and over 1.6 GW of additional generation capacity for Iraq. GE had plans to take a delegation from the Ministry of Electricity to the U.S. as part of the company's program. It appears the trip will be scuttled as a result of the Executive Order, which could have implications for GE's program in Iraq since only one of the Iraqi participants would likely be eligible for a diplomatic visa. The deal was highlighted by the Prime Minister earlier this week in a widely read tweet. The Ministry of Electricity has been in touch with Post to express its concerns.

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B5



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> Signature:

>

> Silliman

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>

> Drafted By:

>

> BAGHDAD:Williams, Stephanie

>

> Cleared By:

>

> RSO:McDonough, Thomas G (Baghdad)

>

>

> POL/MIL:Weiller, Matthew A (Baghdad)

>

>

> RIDPA:Bongiovanni, Kristin (Baghdad)

>

>

> POL:Curran, Sylvia R (Baghdad)

>

>

> MGT:Kuschner, John M (Baghdad)

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>  
> PAS:Diallo, Robin D (Baghdad)  
>  
> Approved By:  
>  
> EXEC:Silliman, Douglas A (Baghdad)  
>  
> Released By:  
>  
> BAGHDAD:Erwin, Joel A (Baghdad)  
>  
> Info:  
>  
> IRAQ COLLECTIVE ROUTINE  
>  
> XMT:  
>  
> SANAA, AMEMBASSY  
>  
>  
> Action Post:  
>  
> NONE  
>  
> Dissemination Rule:  
>  
> ECON, EAC, POL, PAS, RSO, AID\_EXEC, AID\_EXEC\_Info, ORA, RSO\_INFO, CONGEN, CONS\_ACTION, AID, ECON\_INFO,  
CONS\_INFO, DAO\_INFO, ODC  
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SENSITIVE BUT UNCLASSIFIED

2pg

**Reamey, Michele E**

**From:** Pennington, Joseph S  
**Sent:** Wednesday, March 01, 2017 2:31 PM  
**To:** Reamey, Michele E  
**Subject:** FW: [REDACTED]

B5

For FOIA request.

**RELEASE IN PART**  
**B5, B6**

**REVIEW AUTHORITY:** Barbara  
Nielsen, Senior Reviewer

-----Original Message-----

**From:** Harvey, Derek J. EOP/NSC [mailto:[REDACTED]]  
**Sent:** Saturday, January 28, 2017 9:24 AM  
**To:** Pennington, Joseph S  
**Subject:** Re: [REDACTED]

B6

Joe, Thanks for your attention to these matters. [REDACTED] Best Derek  
Sent from my iPhone

B5

B5

On Jan 27, 2017, at 4:02 PM, Pennington, Joseph S <PenningtonJS@state.gov<mailto:PenningtonJS@state.gov>> wrote:

Joel et al -

B5

joe

Joseph Pennington  
Deputy Assistant Secretary for Iraq  
Bureau of Near Eastern Affairs  
U.S. Department of State  
202-647-9547

Official - SBU  
UNCLASSIFIED

**From:** Rayburn, Joel D. EOP/NSC [mailto:[REDACTED]]  
**Sent:** Thursday, January 26, 2017 11:47 PM  
**To:** Harvey, Derek J. EOP/NSC; Jones, Stuart E  
**Cc:** Yael Lempert; Bell, Michael S. EOP/NSC; Harris, Joshua M. EOP/NSC; Roffman, Scott N. EOP/NSC; Pennington, Joseph S  
**Subject:** [REDACTED]

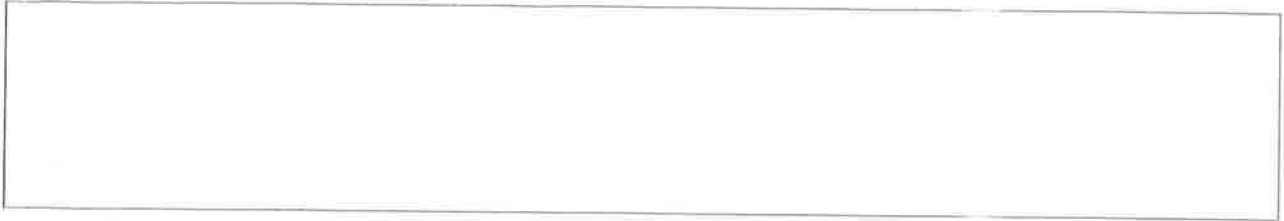
B6

B5

B5

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B5

Best,  
Joel

**Official**

**UNCLASSIFIED**

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Official

B6

**Cooper, Jr. Roosevelt**

**From:** CA-VO-Special Assistant  
**Sent:** Monday, January 30, 2017 7:26 PM  
**To:** 'adam.m.blank@[REDACTED]'; 'HUTTON, JAMES R'; 'MILLER, TROY A'; 'HOFFMAN, TODD A'; Ramotowski, Edward J; Dougherty, Michael T; Perry, Nicholas; Callahan, Ellen; Smith, Timothy W; Hackell, Matthew S; McEvoy, Meredith C; Newman, David S; Fabry, Steven F  
**Cc:** CA-VO-Special Assistant  
**Subject:** RE: Agreed Guidance with State and CBP

Colleagues,

**REVIEW AUTHORITY: Barbara Nielsen, Senior Reviewer**

Please see the note below from Stephen Miller

Per our conference call, DHS has been processing Dual Nationals based on the passports they present. In other words, a hypothetical Dual-National of Canada and One of the 7 designated countries, would be processed through as a Canadian Citizen. This is consistent with our own guidance.

Thank you,

**Taylor Mauck**  
CA/VO Special Assistant  
CGI Contractor  
SA-17 - 12.208  
202-485-7567

**Official**  
**UNCLASSIFIED**

**From:** CA-VO-Special Assistant  
**Sent:** Monday, January 30, 2017 7:23 PM  
**To:** 'adam.m.blank@[REDACTED]'; 'HUTTON, JAMES R'; 'MILLER, TROY A'; 'HOFFMAN, TODD A'; Ramotowski, Edward J; Dougherty, Michael T; Perry, Nicholas; Callahan, Ellen; Smith, Timothy W; Hackell, Matthew S; McEvoy, Meredith C; Newman, David S; Fabry, Steven F  
**Cc:** CA-VO-Special Assistant  
**Subject:** RE: Agreed Guidance with State and CBP

B6

Changes below in blue and tracked in document.

**Brandon Borkowicz**  
Special Assistant  
Visa Office  
Bureau of Consular Affairs  
Ext. 5-7572  
202-485-7572

Cooper, Jr. Roosevelt

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Official

1

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OfficialOfficial  
UNCLASSIFIED

B6

**From:** CA-VO-Special Assistant**Sent:** Monday, January 30, 2017 7:15 PM**To:** 'adam.m.blank@'; 'HUTTON, JAMES R'; 'MILLER, TROY A'; 'HOFFMAN, TODD A'; Ramotowski, Edward J; Dougherty, Michael T; Perry, Nicholas; Callahan, Ellen; Smith, Timothy W; Hackell, Matthew S; McEvoy, Meredith C; Newman, David S; Fabry, Steven F**Cc:** CA-VO-Special Assistant**Subject:** Agreed Guidance with State and CBP

Colleagues:

- 1) Dual nationals with a valid immigrant or nonimmigrant visa in a passport issued by any country not restricted under the Executive Order will be permitted to apply for admission to the United States.
- 2) Posts are allowed to process visa applications and issue nonimmigrant and immigrant visas to otherwise eligible visa applicants who apply with a passport from an unrestricted country, even if they hold dual nationality from a restricted country.
- 3) Landed immigrants of Canada (not including refugees) who hold passports of a restricted country can apply for admission to the United States, if the individual presents that passport with a valid immigrant or nonimmigrant visa, proof of their landed immigrant status, and only if the travel both originates in Canada and is through a land border or a pre-clearance location.
- 4) Landed immigrants of Canada (not including refugees) who hold passports of a restricted country can apply for an immigrant or nonimmigrant visa to the United States, if the individual presents that passport, and proof of landed immigrant status, to a consular officer. These applications shall be made at a U.S. consular section in Canada.
- 5) The entry of Iraqi nationals with a valid Special Immigrant Visa to the United States is deemed to be in the national interest and they can apply for admission to the United States. Accordingly, absent the receipt of significant derogatory information indicating a serious threat to public safety and welfare, possession of a Special Immigrant Visa will be a dispositive factor in case-by-case determinations. In addition, Iraqi nationals can also apply to a consular officer for Special Immigrant Visas, and, if otherwise qualified, can be issued a Special Immigrant Visa.

Cooper, Jr. Roosevelt

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- 6) As stated by Secretary Kelly, the entry of U.S. lawful permanent residents is deemed to be in the national interest. Accordingly, absent the receipt of significant derogatory information indicating a serious threat to public safety and welfare, lawful permanent resident status will be a dispositive factor in case-by-case determinations.
- 7) In adjudicating both admission to the United States and issuance of visas, both DHS and DOS will continue to apply all appropriate security vetting procedures.

**Brandon Borkowicz**

Special Assistant  
Visa Office  
Bureau of Consular Affairs  
Ext. 5-7572  
202-485-7572

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Cooper, Jr. Roosevelt

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Official

3

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Page 1 of 5

From: SMART Archive  
Sent: 1/28/2017 12:13:07 AM  
To: SMART Core  
Subject: (SBU) EXECUTIVE ORDER ON PROTECTING THE NATION FROM TERRORIST ATTACKS BY FOREIGN NATIONALS - GUIDANCE TO VISA ISSUING POSTS

UNCLASSIFIED  
SBU

REVIEW AUTHORITY: Barbara Nielsen, Senior  
Reviewer

RELEASE IN PART B7(E)



MRN: 17 STATE 8708  
Date/DTG: Jan 28, 2017 / 280510Z JAN 17  
From: SECSTATE WASHDC  
Action: SOMALIA, USMISSION IMMEDIATE;  
ALL DIPLOMATIC AND CONSULAR POSTS COLLECTIVE IMMEDIATE  
E.O.: 13526  
TAGS: CMGT, CVIS, KPAO, PTER, KHLS  
Captions: SENSITIVE  
Subject: (SBU) EXECUTIVE ORDER ON PROTECTING THE NATION FROM TERRORIST  
ATTACKS BY FOREIGN NATIONALS - GUIDANCE TO VISA ISSUING POSTS

1. (SBU) The Executive Order (E.O.) on Protecting the Nation from Terrorist Attacks by Foreign Foreign Nationals contains several provisions that immediately impact visa adjudication and issuance procedures. All visa issuing posts should carefully review and follow this guidance effective immediately. Public talking points will be provided as soon as possible, along with additional guidance on certain aspects of the E.O.

2. (SBU) Suspension of entry into the United States for aliens from certain countries: The E.O. exercises the President's authority under section 212(f) of the Immigration and Nationality Act suspending entry into the United States of aliens from the following countries for 90 days as of January 27, 2017: Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen, subject to some exceptions. Accordingly, visas may not be issued to such aliens at this time. Additionally, as such aliens will not be admitted to the United States under the Executive Order, the Department of State has provisionally revoked valid visas previously issued to any affected nationals. Posts do not need to take any action with respect to physically cancelling visa foils, entering revocations into the system, or contacting visa holders.

(U) Nonimmigrant Visas

3. (SBU) For nonimmigrant visa applicants, except those specified below, having any of these seven nationalities, posts should (1) halt interviewing these applicants immediately; (2) cease issuance and printing of NIVs for these applicants immediately; and (3) refuse under Section 212

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(f) of the Immigration and Nationality Act (INA) any of these nonimmigrant visa applicants who have been interviewed, but whose visa post has not yet printed. The same guidelines apply to the issuance of V92 cases for these seven nationalities. CA/EX has informed the GSS vendors to expect posts with GSS document delivery services to return un-adjudicated cases to the document delivery vendor. Certain dual nationals of these countries are included in this policy. This suspension of entry does not apply to those foreign nationals traveling on A-1, A-2, G-1, G-2, G-3, G-4, NATO, C-2 or diplomatic type visas, or to issuance of visas in those categories.

4. (SBU) Posts must cancel future nonimmigrant visa appointments for applicants of these nationalities. CA/EX has instructed the GSS vendors to post a "red banner" message on all GSS web sites, informing applicants of these nationalities to cancel their appointments. Non-GSS posts should post the same language on their websites. Non-GSS posts must manually cancel appointments for applicants of these nationalities in the CST appointment system. CA/EX has also instructed GSS vendors to directly cancel appointments for applicants who have self-identified as one of the listed nationalities, and to send an emergency email and SMS blast message with the same language to applicants with appointments scheduled in the next 14 days in Abu Dhabi, Amman, Ankara, Baghdad, Djibouti, Erbil, Khartoum, Riyadh, and Yerevan.

5. (SBU) GSS red banner message: *"Urgent Notice: Per U.S. Presidential Executive Order signed on January 27, 2017, visa issuance to aliens from the countries of Iraq, Iran, Libya, Somalia, Sudan, Syria and Yemen has been suspended effective immediately until further notification. If you are a national, or dual national, of one of these countries, please do not schedule a visa appointment or pay any visa fees at this time. If you already have an appointment scheduled, please DO NOT ATTEND your appointment as we will not be able to proceed with your visa interview. Please note that certain travel for official governmental purposes, related to official business at or on behalf of designated international organizations, on behalf of the North Atlantic Treaty Organization, or by certain officials is not subject to this suspension. Please contact [vendor web site and call center contact info] to inform them of your appointment time and date and request cancellation. Please continue to monitor [vendor website and TSG] for further updates."*

6. (SBU) MRV fee refunds: MRV receipts are valid for one year from the date of issuance. Generally, refunds are only permissible if the U.S. government committed an error in collecting the fee or under certain circumstances provided for in law or regulation (22 CFR 22.6, 22 CFR 42.71, 22 CFR 41.107, and 22 CFR 23.3). If officers are unsure about whether a refund can be granted, they should contact the CA Fee Team (CAFee-Team@state.gov).

#### (U) Immigrant Visas

7. (SBU) The National Visa Center (NVC) will attempt to contact all applicants from the restricted countries with scheduled immigrant visa (IV) appointments for February in order to cancel their appointments. In addition, NVC will not schedule nationals of these seven countries for March or April immigrant visa appointments. For diversity visa (DV) applicants scheduled for interviews between February 5 and March 31, the Kentucky Consular Center (KCC) will notify applicants to check Entrant Status Check where they will see a message notifying them that their appointments will be rescheduled.

B7(E)

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B7(E)

[REDACTED]

For applicants whom KCC and NVC are unable to contact, or otherwise unable to cancel or postpone, post should attempt to identify them at intake before their interview and notify them that their interviews must be rescheduled. Posts will need to cancel remaining January appointments for affected applicants.

8. (SBU) Post should not take biometrics or conduct an immigrant or diversity visa interview. It is very important that posts do not interview applicants affected by the E.O. If an applicant is not identified during intake as ineligible for an interview, but the officer determines they are affected by the E.O. during the course of the interview, the interview should be completed. The case should be refused pursuant to 221(g) and a request for an Advisory Opinion should be submitted to CA/VO/L/A. Please inform the applicant that the case requires administrative processing.

(U) Dual Nationality of Visa Applicants

9. (SBU) The Executive Order applies to dual nationals of Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen. Posts may encounter applicants who apply with a passport in one nationality but hold dual nationality with a restricted country. Individuals should be subject to the suspension if they possess a current passport from the restricted country, have been denied ESTA based on nationality in a designated country (but not on travel to the country without being a national of that country), or have otherwise identified themselves as nationals of a restricted country including on a previous application or in an interview, including as a dual national.

(U) Refugees

10. (SBU) The U.S. Refugee Admissions Program (USRAP) is suspended for 120 days and indefinitely for Syrian refugee applicants. This includes the processing of boarding foils for any V93 cases, since those follow-to-join cases are admitted to the United States as refugees. Posts should halt the issuance of these V93 cases immediately. The Department will notify posts when the suspension is lifted.

(U) Exceptions

11. (SBU) The Executive Order allows for exceptions to these suspensions for nonimmigrants, immigrants, and V92 cases on a case-by-case basis, and when in the national interest. For V93 cases, the exception is on a case-by-case basis and when admission is in the national interest and would not pose a risk to the security or welfare of the United States. The Department is working with DHS and other relevant agencies to finalize guidance on these potential exceptions, and we will communicate it to posts once it is developed. In the meantime, posts should contact their VO/F post liaison officer during business hours or the VO Duty Officer after hours, to advise of exceptionally urgent or humanitarian cases. In addition, the Executive Order does not apply to those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas.

(U) Interview Waiver Program

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12. (SBU) The Executive Order suspends the Interview Waiver Program (IWP) for all nationalities, with the exception of "specific statutory exceptions" in INA section 222(h). That protects waivers for the categories listed in section 222(h)(1)(A) and (B). Accordingly, effective immediately, posts must require an in-person interview for the following categories of individuals that had been covered by the IWP:

- a) Any applicant whose visa expired more than 12 months prior to the date of application;
- b) Any first-time Brazilian applicant aged 14 or 15 or between 66 and 79;
- c) Any first-time Argentine applicant aged 14 or 15 or between 66 and 79.

Posts may continue waiving interviews using current guidance for the following categories:

- a) A-1, G-1, G-2, G-3, G-4, NATO-1 through NATO-6, C-2, and C-3;
- b) Applicants for a diplomatic or official visa as described in 22 CFR 41.26 or 22 CFR 41.27, respectively;
- c) Renewals of the same classification not more than 12 months after date on which prior visa expired.

By law, interviews are not required for applicants under 14 or over 79 years old.

13. (SBU) CA/EX has notified the GSS vendors to immediately update interview waiver language on their web sites and call scripts. Post should be aware, however, that IWP cases already in the document delivery pipeline will continue to arrive at post. Furthermore, the GSS vendors are not permitted to validate applicants' self-certification of IWP eligibility. Therefore, as always, posts should be vigilant about confirming that all IWP cases meet the current criteria before adjudicating without an interview. CA/EX has informed the GSS vendors to expect to return un-adjudicated IWP cases that do not meet the new criteria through the document delivery system.

14. (SBU) This preliminary guidance is based on a careful initial reading and review of the Executive Order and we will provide updated guidance as necessary. We urge consular chiefs to coordinate as necessary with their Front Office, Public Affairs Section, Regional Security Office and other sections at post. The Department is cognizant that this guidance does not cover every possible contingency. Posts should take the opportunity to review all aspects of their visa screening and anti-fraud procedures to ensure that they are operating at full effectiveness. Posts requiring immediate public talking points should contact CA/P's media team at [CAPRESSREQUESTS@state.gov](mailto:CAPRESSREQUESTS@state.gov). Consular sections should coordinate closely with public affairs sections to ensure accurate dissemination of information through their respective channels.

15. (U) Minimize considered.

Signature:

Shannon

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Page 4 of 5

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Page 5 of 5

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**Drafted By:** CA/VO/F: Meredith McEvoy  
**Cleared By:** CA SMyers  
CA/VO: ERamotowski  
CA/VO: KKing  
CA/VO/L: DNewman  
CA/VO/L: NPerry  
CA/VO/DO: MGarcia  
CA/VO/I: JComforth  
CA/C: RArndt CA/C/CBSP: LCarr CA/C/PPOD: BWalsh  
CA/EX: MAMES  
CA/EX: NAbella  
CA/FPP: SAsby  
CA/P: HHand  
L/CA: SFabry  
L/CA: MHackell  
L/CA: EDonnelly  
L/CA: JBentes  
L/CA: MMadad  
L/HRR: MPickering  
CT: WMcCulla  
AF: PBarlerin  
NEA: SJones  
AF/EX: ESTroymeyer  
EAP/EX: KDeBlauw  
EUR-IO/EX: PMurray  
WHA/EX: KSullivan  
M/PR: ALarkin  
P: JJeffreys  
R: EWebster  
PA: RBuangan  
PRM: MWiebler  
S/P: SOat-Judge (info by request)  
D: CDavis (info by request)  
D-MR: JPierre-Louis (info by request)  
M: HALto  
S/ES-O: SARAH MORGAN  
**Approved By:** CA: David T. Donahue, Acting  
**Released By:** IRM\_OPS\_MSO: Myles, Angeline  
**XMT:** SANAA, AMEMBASSY

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**Dissemination Rule:** Archive Copy

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SBU

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Page 5 of 5

NO DISCERNIBLE CLASSIFICATION

~~Perkins, Kristi L~~

**From:** RELEASE IN  
**Sent:** PART B6  
**To:** Perkins, Katherine K  
**Subject:** Saturday, January 28, 2017 9:14 AM  
Jackson, Nancy I; Lynch, Paula R  
Fw: FINAL SIGNED EO

REVIEW AUTHORITY: Barbara Nielsen, Senior Reviewer

Sent from my BlackBerry 10 smartphone.

**From:** Gauger, Kelly A  
**Sent:** Friday, January 27, 2017 7:09 PM  
**To:** Naplan, Steven J; Perkins, Katherine K; Lewis, Pamela H; Smith, Jennifer L; Santos, Carol T; Day, Barbara J; Berdinner, Kiera; Hilary Ingraham  
**Subject:** Fw: FINAL SIGNED EO

Changes below.

Kelly Gauger  
Deputy Director, PRM/A  
Work Tel 202-453-9268

B6

**From:** Gauger, Kelly A  
**Sent:** Friday, January 27, 2017 7:06 PM  
**To:** Pickering, Margaret S; Henshaw, Simon; Storella, Mark C; Bartlett, Lawrence E.  
**Subject:** Re: FINAL SIGNED EO

Major changes I see:

- ban on entry of the 7 nationalities extended to 90 days but exempts certain visa holders.
- opens the door that we might be able to admit more than 50,000 if President decides it is in the national interest.
- allows a bit more discretion in allowing travel to proceed for those "already in transit"
- incorrectly assigns DHS (vice State) to examine whether state and local govts can play a greater role in approving placement

Probably more I am missing.

Kelly Gauger  
Deputy Director, PRM/A  
Work Tel 202-453-9268

B6

**From:** Pickering, Margaret S  
**Sent:** Friday, January 27, 2017 6:53 PM  
**To:** Henshaw, Simon; Storella, Mark C; Bartlett, Lawrence E.; Gauger, Kelly A  
**Subject:** FW: FINAL SIGNED EO

~~Perkins, Kristi L~~

NO DISCERNIBLE CLASSIFICATION

1

NO DISCERNIBLE CLASSIFICATION

In case you haven't received it yet.

Meg

Official

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**From:** Fabry, Steven F

**Sent:** Friday, January 27, 2017 6:50 PM

**To:** Legal-CA-DL; Sanford, Christina; Pickering, Margaret S; Tampio, A Jesse; Hooke, Kathleen H

**Subject:** FW: FINAL SIGNED EO

Official

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**From:** Perry, Nicholas

**Sent:** Friday, January 27, 2017 6:48 PM

**To:** Fabry, Steven F

**Subject:** FW: FINAL SIGNED EO

Nicholas J. Perry

Deputy Director of Legal Affairs, Visa Office

Bureau of Consular Affairs, U.S. Department of State

[PerryN1@state.gov](mailto:PerryN1@state.gov)

(202) 485-7586

Official

UNCLASSIFIED

---

**From:** King, Karin M

**Sent:** Friday, January 27, 2017 6:47 PM

**To:** Ramotowski, Edward J; Donahue, David T; Newman, David S; Perry, Nicholas; McEvoy, Meredith C; CA-VO-Special Assistant

**Subject:** FW: FINAL SIGNED EO

*Karin King*

*Managing Director*

*Office of Visa Services, Bureau of Consular Affairs*

*U.S. Department of State*

*(202) 485-7561*

SBU

This email is UNCLASSIFIED.

---

**From:** CONROY, DONALD E [REDACTED]

**Sent:** Friday, January 27, 2017 6:43 PM

**To:** King, Karin M

**Subject:** FINAL SIGNED EO

Karin

We just received this.

Donald Conroy

Director

National Targeting Center-Passenger

Office of Field Operations

Customs and Border Protection

Dept of Homeland Security

571-468-1200

B6

Groning, Kristi L

NO DISCERNIBLE CLASSIFICATION

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NO DISCERNIBLE CLASSIFICATION

B6

From: Cross, Sarah R. EOP/NSC [REDACTED]  
 Sent: Saturday, January 28, 2017 5:27 PM  
 To: Storella, Mark C  
 Subject: Fwd: Refugee EO: Guidance

Recommend Release in Part pending  
 CONSULTATION NSC and PRM

It's public and has been shared with IO.

Sent from my iPhone

Begin forwarded message:

From: "Barclay, Erin M" <BarclayEM@state.gov<mailto:BarclayEM@state.gov>>  
 Date: January 28, 2017 at 5:22:45 PM EST  
 To: "Black, Joshua J. EOP/NSC" [REDACTED], "Sison, Michele J" <SisonMJ@state.gov<mailto:SisonMJ@state.gov>>, "Klein, Christopher C" <KleinCC@state.gov<mailto:KleinCC@state.gov>>, "Jacobson, Tracey A" <JacobsonTA@state.gov<mailto:JacobsonTA@state.gov>>, "Meyer, Robin D" <MeyerRD@state.gov<mailto:MeyerRD@state.gov>>, "Busby, Scott W" <BusbySW@state.gov<mailto:BusbySW@state.gov>>, "May, Stacey A" <MaySA3@state.gov<mailto:MaySA3@state.gov>>, "Conklin, Maegan L" <ConklinML@state.gov<mailto:ConklinML@state.gov>>, "Vissek, Richard C" <VissekRC@state.gov<mailto:VissekRC@state.gov>>, "Gill, Ruchi Gugliani" <Gillrg@state.gov<mailto:Gillrg@state.gov>>, "McLaughlin, Mary (GC/G)" [REDACTED], "Cross, Sarah R. EOP/NSC" [REDACTED], "Pappas, Kristen F. EOP/NSC" [REDACTED], "Grant, Rachel R" [REDACTED], "Brinker, Sonja C. EOP/NSC" [REDACTED], "Moss, Ian C. EOP/NSC" [REDACTED]

Subject: Re: Refugee EO: Guidance

Thanks Josh.

Original Message

From: Black, Joshua J. EOP/NSC  
 Sent: Saturday, January 28, 2017 3:27 PM  
 To: Sison, Michele J; Klein, Christopher C; Jacobson, Tracey A; Meyer, Robin D; Busby, Scott W; May, Stacey A; Barclay, Erin M; Conklin, Maegan L; Vissek, Richard C; Gill, Ruchi Gugliani; McLaughlin, Mary (GC/G); Cross, Sarah R. EOP/NSC; Pappas, Kristen F. EOP/NSC; Grant, Rachel R; Brinker, Sonja C. EOP/NSC; Moss, Ian C. EOP/NSC  
 Subject: Refugee EO: Guidance

All,

Copied below is the White House-approved public guidance on the refugees EO that I have just received:

Barclay, Erin M

NO DISCERNIBLE CLASSIFICATION

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**NO DISCERNIBLE CLASSIFICATION**

- It's important to recognize that America is and has been the world's most generous country with respect to welcoming newcomers.
- Today America has approximately 5% of the world's population but is home to about 20% of the world's migrants.
- The President's January 27th, 2017 order is consistent with America's historic generosity while taking necessary and long overdue steps to protect American security.
- Given the attacks committed on American soil by foreign nationals and recent entrants since 9/11, which have been all too frequent in the previous few years, this is urgently needed.
- This order directs the US government to suspend entry of most persons from certain countries of particular concern, as identified by Congress, over threats of terrorism or other violence.
- It is not a blanket prohibition; certain exceptions are allowed, including for diplomatic travel and some refugees already in transit.
- The Departments of State and Homeland Security will, within 90 days, formulate a new policy with respect to future waivers.
- It's also important to understand that this Order DOES NOT affect the Visa Waiver program for those who do not hold dual citizenship with a covered country. All other foreign national citizens of visa waiver countries retain the same ability to travel to the United States as before.
- The United States remains the most visited country in the world and this Administration has no wish to change that.
- Law-abiding visitors enrich our economic and cultural life in ways that we wish and expect to continue.
- The purpose of this order is to help ensure that such beneficial visits and contacts can continue. This in turn requires that America be smarter and more vigilant about whom our government admits and whom it forbids. In our broader immigration policy, the US government will seek to ensure the entry only of those who support and love our country and its principles.

NO DISCERNIBLE CLASSIFICATION

RELEASE IN PART B5,B6

Browning, Kristi L

**From:** Cross, Sarah R. EOP/NSC [REDACTED]  
**Sent:** Saturday, January 28, 2017 10:40 AM  
**To:** Storella, Mark C; Jackson, Nancy I; Henshaw, Simon  
**Subject:** RE: Revised EO talking points: Protecting the Nation from Terrorist Attacks by Foreign Nationals EO

B6

Thanks, Mark.

B5

Stay tuned,  
Sarah

REVIEW AUTHORITY: Fabio Saturni, Senior Reviewer

-----Original Message-----

**From:** Storella, Mark C [mailto:StorellaMC@state.gov]  
**Sent:** Saturday, January 28, 2017 10:17 AM  
**To:** Cross, Sarah R. EOP/NSC [REDACTED]; Jackson, Nancy I <JacksonNI@state.gov>; Henshaw, Simon <HenshawS@state.gov>  
**Subject:** Re: Revised EO talking points: Protecting the Nation from Terrorist Attacks by Foreign Nationals EO

B6

Sarah,

[REDACTED] You will see some press reports of Iraqi "refugees" being stopped at the borders. We believe these cases are likely SIVs, not refugees, who may have their foils and try to board without IOM's assistance. We will need to keep following up.

B5

A majority of Iraqi SIVs choose to take advantage of benefits under the refugee program and will require a travel packet from IOM and therefore will not be able to travel. [REDACTED]

B5

Afghan SIVs who are not coming in with assistance from IOM with refugee benefits should be admitted since Afghanistan is not one of the seven excluded countries and they are not traveling as part of USRAP.

Admissions has advised IOM and they will not provide travel packets to anyone traveling in the refugee program, absent authorization to move people already deemed to be in transit or subject to a waiver. (That issue is being worked as you know.)

Mark

**From:** Cross, Sarah R. EOP/NSC [REDACTED]  
**Date:** January 27, 2017 at 11:22:45 PM EST

B6

Browning, Kristi L

NO DISCERNIBLE CLASSIFICATION

1

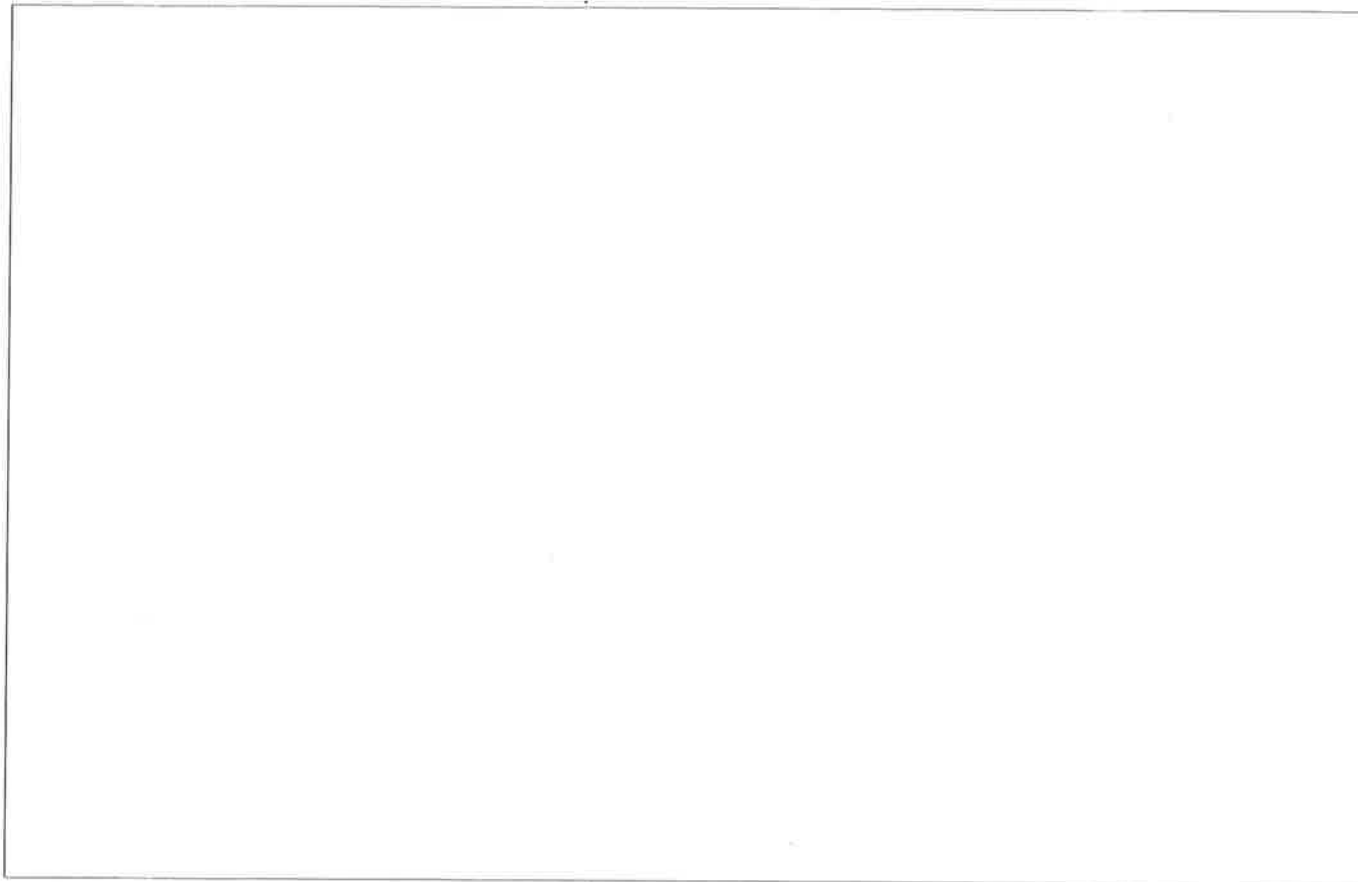


NO CLASSIFICATION MARKED

**NO DISCERNIBLE CLASSIFICATION**

To: Henshaw, Simon <[HenshawS@state.gov](mailto:HenshawS@state.gov)>, Storella, Mark C <[StorellaMC@state.gov](mailto:StorellaMC@state.gov)>, Jackson, Nancy I <[JacksonNI@state.gov](mailto:JacksonNI@state.gov)>

Subject: FW: Revised EO talking points: Protecting the Nation from Terrorist Attacks by Foreign Nationals EO



B5

Sent from my iPhone

Browning, Kristi L

**NO DISCERNIBLE CLASSIFICATION**

2

NO CLASSIFICATION MARKED

**Browning, Kristi L**

**From:** Fagin, Steven H  
**Sent:** RELEASE IN PART  
B5, B6 Sunday, January 29, 2017 12:41 PM  
**To:** Swanson, Nate L; 'Danusiah Hubah at NSC'  
**Subject:** Fw: Quick consular update

**REVIEW AUTHORITY:**  
 Barbara Nielsen, Senior  
 Reviewer

Fyi

**From:** Nelson, Kevin D <NelsonKD2@state.gov>  
**Sent:** Sunday, January 29, 2017 11:03 AM  
**To:** Norris, Emily Y; Fagin, Steven H; Richardson, Timothy M; Backemeyer, Christopher R; Wells, Christopher W  
**Cc:**   
**Subject:** Quick consular update

B6

Happy Sunday everyone – just a quick update on the EO, the Swiss have the protest note from Iran and I will pick it up later tonight or tomorrow morning.

- Federal judges in New York and Virginia ordered stays on the deportations for people with valid visas. The temporary restraining order prevents the removal of green card holders detained in Dulles and requiring that these legal residents of the U.S. have access to counsel. The rulings were narrow, only affecting people who had arrived in the US or were in flight when the orders were signed, but attorneys estimated 100-200 people were set for release from airports around the country. The vagueness has led to several airports using different standards regarding LPRs and visa holders.
- Regarding LPRs guidance sent to airlines overseas by DHS said "lawful permanent residents are not included and may continue to travel to the USA." but a DHS public relations official said that the order does apply to LPRs. The White House has apparently overruled that direction overnight but airlines have yet to receive the new guidance.

B5

- There is no specific language regarding medical emergencies or humanitarian purpose but there is a section that allows for exceptions in "the national interest" which if viewed broadly could cover these cases. Separately section 3(g) describes waivers on a case-by-case basis for people who are denied "benefits" under the laws pursuant to the order but again it is unclear to me what would be included under benefits.
- H1B visas, including  doctor working at the Cleveland clinic, are being prevented from entering the country or boarding aircraft.
- It remains unclear how CBP will determine whether somebody is in fact a dual-national, or whether the US will make exception for certain country dual nationals (like UK and Canada). Also it remains unclear if someone who is eligible for citizenship despite never claiming it or holding a passport would also fall under this category.
- DHS has also issued conflicting statements regarding refugees persecuted for issues other than being a religious minority, such as their sexual orientation.

B6

- Several pro basketball players are dual [ ] and [ ] nationals and the NBA has also asked for immediate clarification from State before teams have to play games in Toronto.
- Personally I had dinner last night with UN employees who are working in Iraq and are [ ] and [ ] LPRs, they were held for seven hours at Dulles yesterday morning while this was being resolved.

B6

Official

UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

From: Kristi L

**From:** Backemeyer, Christopher R  
**Sent:** Sunday, January 29, 2017 3:55 PM  
**To:** Mull, Stephen D; Swanson, Nate L  
**Cc:** Backemeyer, Christopher R; Milich, Daniel S  
**Subject:** Re: Visa ban

RELEASE IN PART  
B5, B6

REVIEW AUTHORITY: Barbara Nielsen, Senior  
Reviewer

Sent from my BlackBerry 10 smartphone.

**From:** Mull, Stephen D  
**Sent:** Sunday, January 29, 2017 12:23 PM  
**To:** Swanson, Nate L  
**Cc:** Backemeyer, Christopher R; Milich, Daniel S  
**Subject:** RE: Visa ban

Thanks.

Thanks,  
Steve

**Official - SBU**  
**UNCLASSIFIED**

**From:** Swanson, Nate L  
**Sent:** Sunday, January 29, 2017 12:11 PM  
**To:** Mull, Stephen D  
**Cc:** Backemeyer, Christopher R; Milich, Daniel S  
**Subject:** Re: Visa ban

I don't think so

Sent from my iPhone

On Jan 29, 2017, at 12:03 PM, Mull, Stephen D <[MullSD@state.gov](mailto:MullSD@state.gov)> wrote:

Nate, just doing some housekeeping here – did Tom ever respond to this note from Majid?  
Thanks,  
Steve

**Official - Transitory**  
**UNCLASSIFIED**

**From:** Mull, Stephen D  
**Sent:** Wednesday, January 25, 2017 5:08 AM

SENSITIVE BUT UNCLASSIFIED

**To:** SINI\_Internal; Ohlde, Aubrie L. EOP/NSC; Buchholz, David O; Swanson, Nate L; Backemeyer, Christopher R  
**Subject:** Fwd: Visa ban

FYI

---

**From:** majid ravanchi [redacted]  
**Date:** January 25, 2017 at 02:57:19 EST  
**To:** Shannon, Thomas A <[ShannonTA@state.gov](mailto:ShannonTA@state.gov)>  
**Cc:** Mull, Stephen D <[MullSD@state.gov](mailto:MullSD@state.gov)>  
**Subject:** Visa ban

B6

Dear Tom,

It was in the news that today the US President will issue an executive order banning the issuance of visas for citizens of a number of countries including Iran. This is clearly an insult to the Iranian people who have, throughout their thousands of years of proud history, promoted peace, friendship and tolerance. Ironically, citizens of US allies who have committed terrorist activities on US soil, and not a single Iranian, are now being exempted from such a ban.

In order to safeguard the dignity of Iranian people, we will have no choice but to react to this unjust decision and will today announce a ban on the issuance of visas for US citizens.

I wanted to let you know in advance of our reaction to this very unfortunate US decision.

Best regards,

Majid

SENSITIVE BUT UNCLASSIFIED

B6

**From:** Fagin, Steven H  
**Sent:** **RELEASE IN PART B6** Monday, January 30, 2017 10:23 AM  
**To:** Backemeyer, Christopher R; Swanson, Nate L; dhubah [REDACTED]  
**Subject:** FW: Impact of EO on Iranian visa applicants in Baku

Another FYI...

**From:** Yeager, Seth F  
**Sent:** Monday, January 30, 2017 9:56 AM  
**To:** NEA-IRAN-DL  
**Subject:** Impact of EO on Iranian visa applicants in Baku

**REVIEW AUTHORITY:**  
Barbara Nielsen,  
Senior Reviewer

Dear NEA colleagues,

I wanted to share some information on the impact on Iranians in Baku of the EO Protecting the Nation from Terrorist Attacks by Foreign Nationals.

-Seth

Seth Yeager  
Azerbaijan Desk Officer

- **(SBU) Non Immigrant Visas** – Appointments to cancel, admin processing cases, and referrals:
  - Post has 24 nonresident appointments scheduled for February; all are Iranians. The Consular Section will follow up to confirm the Visa Appointment Service Center contacted the applicants. It is unclear how any future appointments will be identified by the call center.
  - Post has approximately 75 Iranian cases pending administrative processing.
  - There are several visa referral cases pending for Iranian citizens; several were to travel in March for a sports competition.
- **(SBU) Increased inquiries:** Over the weekend, several Iranian nonimmigrant visa applicants emailed Post asking for clarification and refunds.
- **(SBU) Affected Travelers:** Iranians and individuals with other nationalities with valid nonimmigrant visas and legal permanent residency cards frequently use AZAL's direct flight to New York from Heydar Aliyev International Airport in Baku.

Official - SBU  
UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

Growning, Kristi L

B6

**From:** Backemeyer, Christopher R  
**Sent:** RELEASE IN PART B6 Monday, January 30, 2017 10:29 AM  
**To:** Fagin, Steven H; Swanson, Nate L; dhubah@  
**Cc:** Nelson, Kevin D; Richardson, Timothy M  
**Subject:** RE: Armenia EO Reaction

Great, thanks Steve. You guys are doing a great job of staying on top of all of this.

This email is UNCLASSIFIED.

REVIEW AUTHORITY: Barbara Nielsen,  
Senior Reviewer

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**From:** Fagin, Steven H  
**Sent:** Monday, January 30, 2017 10:28 AM  
**To:** Backemeyer, Christopher R; Swanson, Nate L; dhubah@  
**Cc:** Nelson, Kevin D; Richardson, Timothy M  
**Subject:** RE: Armenia EO Reaction

Yes -- we're starting to keep track of these as well.

---

Steven H. Fagin  
Director, Office of Iranian Affairs  
Bureau of Near Eastern Affairs  
U.S. Department of State  
Email: [FaginSH2@state.gov](mailto:FaginSH2@state.gov)  
Tel: (202) 647-5544

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**From:** Backemeyer, Christopher R  
**Sent:** Monday, January 30, 2017 10:27 AM  
**To:** Fagin, Steven H; Swanson, Nate L; dhubah@  
**Subject:** RE: Armenia EO Reaction

Thanks. Are we keeping track of the various humanitarian cases as they come in? It will obviously mostly be CA's job to handle these, but would be good if we knew what was out there so we can determine when/if to weigh in.

SBU  
This email is UNCLASSIFIED.

---

**From:** Fagin, Steven H  
**Sent:** Monday, January 30, 2017 10:18 AM

SENSITIVE BUT UNCLASSIFIED

B6

**To:** Backemeyer, Christopher R; Swanson, Nate L; [dhubah@](mailto:dhubah@)  
**Subject:** FW: Armenia EO Reaction

Just an FYI... note that they cancelled 2052 upcoming NIV appointments...

-----  
Steven H. Fagin  
Director, Office of Iranian Affairs  
Bureau of Near Eastern Affairs  
U.S. Department of State  
Email: [FaginSH2@state.gov](mailto:FaginSH2@state.gov)  
Tel: (202) 647-5544  
-----

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**From:** Massey, Theodore T  
**Sent:** Monday, January 30, 2017 10:04 AM  
**To:** NEA-IRAN-DL  
**Cc:** Szpila, Kathleen S; Franceschi, Natasha S  
**Subject:** Armenia EO Reaction

Iran Desk Colleagues- Flagging Emb Yerevan's recap of the local reaction to the EO, as it is one of the top five Iranian visa processing posts.

### Security

- As of Yerevan COB, the RSO Local Guard Force Commander reported that:
  - There have not been any confrontations with Iranian applicants and the LGF.
  - There have been no protests.

### Embassy Impact

- One Armenian-Iranian dual national LE staff member planned to travel the U.S. in March with family. They have postponed their plans.

### Consular Readout

- Of the 15 Iranian NIV appointments scheduled for this afternoon, only one applicant appeared. She was very emotional, but the guards talked her down and encouraged her to send an email to our public email address.
- We have received over approximately 100 NIV and 100 IV email inquiries related to the Executive Order. The inquiries fall into four general categories:
  - Possibility of Interview rescheduling;
  - Status of visas already issued, but not traveled;
  - LPR/Green Card questions (mostly uncertain about whether to travel and seeking guidance)
  - Case either pending documents or administrative processing – asking for next steps
  - NIV medical expedites
- Embassy Yerevan canceled all future NIV appointments whose nationalities are from the seven countries identified in the Executive Order. In total there were 2052 NIV appointments scheduled for Yerevan that have been cancelled.
- Five Armenian dual nationals who are now ineligible applied for NIVs January 30. We provided them guidance on how to preserve their MRV fee payment so that when and if the ban is lifted, they can reschedule.

SENSITIVE BUT UNCLASSIFIED



SENSITIVE BUT UNCLASSIFIED

- Embassy Yerevan has reached out to CA/VO for guidance on how to request a medical humanitarian waiver for one case involving a [REDACTED] a genetic disorder. [REDACTED] applied [REDACTED] [REDACTED] in December, but their medical appointment was scheduled for Feb 23. They did not travel and now are seeking guidance on how they can get to the U.S.

B6

Official - SBU  
UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

**From:** Fagin, Steven H  
**Sent:** Saturday, January 28, 2017 3:27 PM  
**To:** Swanson, Nate L; Bell, Zehra H; Nowrouzzadeh, Sahar D; 'Danusiah Hubah at NSC'  
**Subject:** Fw: Iran bans all U.S. citizens

RELEASE IN PART  
B6

REVIEW AUTHORITY: Barbara Nielsen, Senior  
Reviewer

FYI - see below message from Swiss.

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**From:** Bushell, Matthew A <BushellMA@state.gov>  
**Sent:** Saturday, January 28, 2017 3:19 PM  
**To:** SES-O  
**Cc:** Nelson, Kevin D; Richardson, Timothy M; Fagin, Steven H; Norris, Emily Y; Backemeyer, Christopher R; NEA-Staff-Assistants-DL  
**Subject:** FW: Iran bans all U.S. citizens

Ops Colleagues,

NEA Acting A/S Jones asked that the story below be broadly distributed, especially so that it reaches key CA, L, NEA, ISN and other 7th floor audiences.

Please feel free to reach out to our Iran office colleagues (cc'd) if you need any clarifications on the story.

Thanks,

Matt

Matt Bushell  
Staff Assistant  
Bureau of Near Eastern Affairs  
Office: 202-647-9589  
[Redacted]

B6

-----Original Message-----

**From:** Kevin Nelson [Redacted]  
**Sent:** Saturday, January 28, 2017 1:59 PM  
**To:** Richardson, Timothy M  
**Cc:** Norris, Emily Y; Backemeyer, Christopher R; NEA-Staff-Assistants-DL  
**Subject:** Re: Iran bans all U.S. citizens

B6

The Swiss called and said their Ambassador has been summoned to get a protest note from the Iranians regarding the executive order and will pick it up tomorrow. They said they would pass on any message we wanted to deliver as well. He asked for clarification on LPRs etc so I told them we would still need our legal experts in consular affairs to review the EO before we could give any additional clarification outside of the language in the document but for now it appears CBP is not letting anyone enter on Iranian passports. Let me know if anyone sees additional guidance and we can pass it on.

Sent from my iPhone

> On Jan 28, 2017, at 1:05 PM, Richardson, Timothy M <RichardsonTM@state.gov> wrote:  
>  
> + Chris B  
>  
> Sent from my BlackBerry 10 smartphone.

> From: Kevin Nelson  
> Sent: Saturday, January 28, 2017 12:55 PM  
> To: Norris, Emily Y  
> Cc: NEA-IRAN-DL  
> Subject: Iran bans all U.S. citizens  
>  
>  
> <http://www.cnn.com/2017/01/28/middleeast/iran-will-ban-us-citizens/index.html?sr=twCNN012817middleeast/iran-will-ban-us-citizens/index.html0542PMStoryLink&linkId=33885305>  
>  
> Shared via the Google app<<https://itunes.apple.com/app/google/id284815942>>  
>  
>  
> Sent from my iPhone

**Official**  
**UNCLASSIFIED**

NO CLASSIFICATION MARKED

Swanson, Kristi L

**From:** Jeffreys, Jason P  
**Sent:** Saturday, January 28, 2017 12:19 PM  
**To:** Davis, Timmy T  
**Cc:** Estrin, Miriam R; Swanson, Nate L  
**Subject:** Re: Visa Suspension

RELEASE IN PART B5, B6

Just leaving the gym and seeing these messages. Please let me know what I can do.

Jason

Sent from my iPhone

REVIEW AUTHORITY: Barbara Nielsen, Senior Reviewer

On Jan 28, 2017, at 10:57, Davis, Timmy T <davistt@state.gov> wrote:

Acting Assistant Secretary.

On Jan 28, 2017, at 10:51 AM, Estrin, Miriam R <EstrinMR@state.gov> wrote:

Thanks, Nate and Jason.

Timmy suggested we bring in DAS Donahue to one of our threads, so I've done that. Jason I'll send that to you as well.

Miriam

Miriam Estrin, S/SECI  
202.647.2121 (desk)  
[redacted] (cell)

B6

On Jan 28, 2017, at 10:50 AM, Swanson, Nate L <SwansonNL@state.gov> wrote:

And Mariam - looping you in with Jason who might be able to provide the right CA contact

Sent from my iPhone

On Jan 28, 2017, at 10:31 AM, Davis, Timmy T <davistt@state.gov> wrote:

Miriam,

There are a number of threads on this. I'm on the thread with Stu, Brett, and the Acting Secretary. [redacted]

[redacted] Best to let CA get what you need. For your awareness, LPRs are also in danger of being detained and

B5

NO CLASSIFICATION MARKED

returned. Our office is going to do its best to be prepared to make decisions as they come in. [REDACTED]

B5  
B5

Thanks.

Timmy

On Jan 28, 2017, at 10:23 AM, Estrin, Miriam R  
<[EstrinMR@state.gov](mailto:EstrinMR@state.gov)> wrote:

Timmy, Nate-- how do we get the details of these cases? CA? DHS?

Miriam

Miriam Estrin, S/SECI  
202.647.2121 (desk)  
[REDACTED]

B6

Begin forwarded message:

**From:** "Pennington, Joseph S"  
<[PenningtonJS@state.gov](mailto:PenningtonJS@state.gov)>

**Date:** January 28, 2017 at 10:07:37 AM EST

**To:** "McGurk, Brett H"

<[McGurkBH2@state.gov](mailto:McGurkBH2@state.gov)>, "Jones, Stuart E"

<[JonesS2@state.gov](mailto:JonesS2@state.gov)>, "Shannon, Thomas A"

<[ShannonTA@state.gov](mailto:ShannonTA@state.gov)>, "Jones, Stuart E"

<[JonesS2@state.gov](mailto:JonesS2@state.gov)>

**Cc:** "Davis, Timmy T"

<[davistt@state.gov](mailto:davistt@state.gov)>, "Swanson, Nate L"

<[SwansonNL@state.gov](mailto:SwansonNL@state.gov)>, Yael Lempert

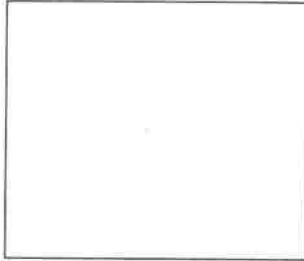
[REDACTED], "Shea, Peter T"

<[SheaPT@state.gov](mailto:SheaPT@state.gov)>

B6

"Wolff, Terry"  
<WolffT@state.gov>,  
"Estrin, Miriam R"  
<EstrinMR@state.gov>  
v>

**Subject: Re: Visa  
Suspension**

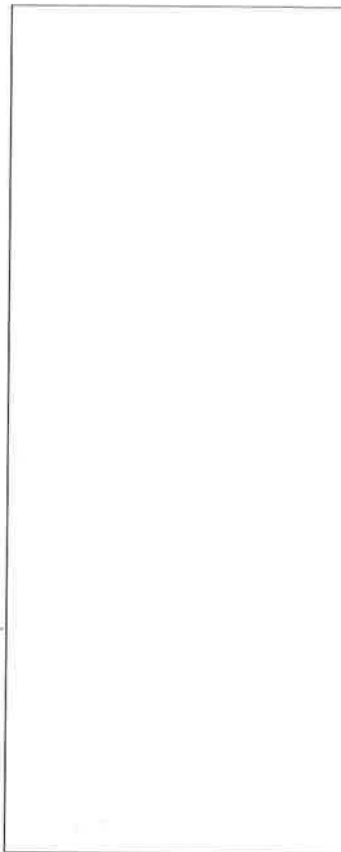


B5

Sent from my BlackBerry 10 smartphone.

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**From:** McGurk, Brett H  
**Sent:** Saturday, January 28, 2017 9:57 AM  
**To:** Jones, Stuart E; Shannon, Thomas A; Jones, Stuart E  
**Cc:** Davis, Timmy T; Swanson, Nate L; Yael Lempert; Pennington, Joseph S;  
**Subject:** Re: Visa Suspension



B5

Brett

(g) Notwithstanding a suspension pursuant to subsection (c) of this section or pursuant to a Presidential proclamation described in subsection (e) of this section, the Secretaries of State and Homeland Security may, on a case-by-case basis, and when in the national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.

Sent from my BlackBerry 10 smartphone.

---

**From:** Jones, Stuart E  
**Sent:** Saturday, January 28, 2017 9:40 AM  
**To:** Shannon, Thomas A; Jones, Stuart E  
**Cc:** Davis, Timmy T; Swanson, Nate L; Yael Lempert; Pennington, Joseph S; :  
**Subject:** Re: Visa Suspension

Thanks. Will keep you posted.

Sent from my BlackBerry 10 smartphone.

---

**From:** Shannon, Thomas A  
**Sent:** Saturday, January 28, 2017 9:19 AM  
**To:** Jones, Stuart E  
**Cc:** Davis, Timmy T; Swanson, Nate L; Yael Lempert; Pennington, Joseph S; :  
**Subject:** Re: Visa Suspension

Thanks, Stu. ☐



NO CLASSIFICATION MARKED

B5



Sent from my iPhone

On Jan 28, 2017, at  
8:21 AM, Jones,  
Stuart E  
<[JonesS2@state.gov](mailto:JonesS2@state.gov)>  
wrote:

Tom,

I just  
got off  
the  
phone  
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As you  
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shocked that they also fall under the ban. And because they do not qualify for A visas, this cuts off official travel to the USA for kurdish partners.



B5

NO CLASSIFICATION MARKED

B5



B5



B5



NO CLASSIFICATION MARKED

NO CLASSIFICATION MARKED

B5



Thanks

Stu

Sent fr  
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NO CLASSIFICATION MARKED

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**From:** Davis, Timmy T  
**Sent:** Saturday, January 28, 2017 10:31 AM  
**To:** Estrin, Miriam R  
**Cc:** Swanson, Nate L  
**Subject:** Re: Visa Suspension

RELEASE IN PART B5, B6

REVIEW AUTHORITY: Barbara Nielsen, Senior Reviewer

Miriam,

There are a number of threads on this. I'm on the thread with Stu, Brett, and the Acting Secretary. [REDACTED]

B5

[REDACTED] Best to let CA get what you need. For your awareness, LPRs are also in danger of being detained and returned. Our office is going to do its best to be prepared to make decisions as they come in. [REDACTED]

B5  
B5

Thanks.

Timmy

On Jan 28, 2017, at 10:23 AM, Estrin, Miriam R <EstrinMR@state.gov> wrote:

Timmy, Nate-- how do we get the details of these cases? CA? DHS?

Miriam

Miriam Estrin, S/SECI  
 202.647.2121 (desk)  
 [REDACTED] (cell)

B6

Begin forwarded message:

**From:** "Pennington, Joseph S" <PenningtonJS@state.gov>  
**Date:** January 28, 2017 at 10:07:37 AM EST  
**To:** "McGurk, Brett H" <McGurkBH2@state.gov>, "Jones, Stuart E" <JonesS2@state.gov>, "Shannon, Thomas A" <ShannonTA@state.gov>, "Jones, Stuart E" <JonesS2@state.gov>  
**Cc:** "Davis, Timmy T" <davistt@state.gov>, "Swanson, Nate L" <SwansonNL@state.gov>, Yael Lempert [REDACTED], "Shea, Peter T" <SheaPT@state.gov>, "Wolff, Terry" <WolffT@state.gov>, "Estrin, Miriam R" <EstrinMR@state.gov>  
**Subject:** Re: Visa Suspension

B6

[REDACTED]

B5

Sent from my BlackBerry 10 smartphone.

**From:** McGurk, Brett H  
**Sent:** Saturday, January 28, 2017 9:57 AM

**To:** Jones, Stuart E; Shannon, Thomas A; Jones, Stuart E  
**Cc:** Davis, Timmy T; Swanson, Nate L; Yael Lempert; Pennington, Joseph S; Shea, Peter T; Wolff, Terry  
**Subject:** Re: Visa Suspension



B5

(g) Notwithstanding a suspension pursuant to subsection (c) of this section or pursuant to a Presidential proclamation described in subsection (e) of this section, the Secretaries of State and Homeland Security may, on a case-by-case basis, and when in the national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.

Sent from my BlackBerry 10 smartphone.

**From:** Jones, Stuart E  
**Sent:** Saturday, January 28, 2017 9:40 AM  
**To:** Shannon, Thomas A; Jones, Stuart E  
**Cc:** Davis, Timmy T; Swanson, Nate L; Yael Lempert; Pennington, Joseph S; Shea, Peter T; McGurk, Brett H;  
**Subject:** Re: Visa Suspension

Thanks. Will keep you posted.

Sent from my BlackBerry 10 smartphone.

**From:** Shannon, Thomas A  
**Sent:** Saturday, January 28, 2017 9:19 AM  
**To:** Jones, Stuart E  
**Cc:** Davis, Timmy T; Swanson, Nate L; Yael Lempert; Pennington, Joseph S; Shea, Peter T; McGurk, Brett H;  
**Subject:** Re: Visa Suspension

Thanks, Stu



B5  
B5

Sent from my iPhone

On Jan 28, 2017, at 8:21 AM, Jones, Stuart E <[JonesS2@state.gov](mailto:JonesS2@state.gov)> wrote:

Tom,

I just got off the phone with Doug Silliman in Baghdad.

NO CLASSIFICATION MARKED

As you would expect, he is very concerned abt fallout from the EO suspending travel from Iraq as well as other countries.

Iraqis are still in a state of shock but he predicts that this will turn to anger and retaliation once they digest it. Doug is especially concerned that our security contractors will be denied visas to work in Iraq. We currently have 2k contractor visas pending.

There are already news stories of Yezidi and Christian victims of da'esh violence being yanked off planes emerging on social media. There is already a hi degree of outrage showing up in the twittersphere. So the public diplomacy challenge is colossal.

The Kurds are of course shocked that they also fall under the ban. And because they do not qualify for A visas, this cuts off official travel to the USA for kurdish partners.

[REDACTED]

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[REDACTED]

B5

[REDACTED]

B5

Thanks

Stu

Sent from my BlackBerry 10 smartphone.

NO CLASSIFICATION MARKED